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August 5, 2014

BY ECF

The Honorable Katharine S. Hayden
The Honorable Mark Falk
United States District Court
Frank R. Lautenberg U.S. Post Office
& Courthouse
Newark, NJ 07101-0999

Re: NXIVM Corp. v. Estate of Sutton, No. 2:06-cv-01051 (KSH/MF)

Dear Judges Hayden and Falk:

On behalf of crossclaimants Interfor, Inc. and Juval Aviv, we write in response to Judge Falk's July 29, 2014 request that all parties submit a letter regarding the status of their respective claims. The following crossclaims by Interfor and Aviv, set forth in their November 7, 2007 Reply to Counterclaim and Cross-Claim (Doc. 101), remain active, are not the subject of any pending motion, and are ready for trial:

- In Count I, Interfor asserts a claim against NXIVM Corp for contractual indemnification. This claim was the subject of competing motions for summary judgment, both of which Judge Cavanaugh denied on June 26, 2013 (Doc. 505).
- In Count IV, Aviv asserts a claim against NXIVM for defamation and defamation *per se*.

Interfor and Aviv voluntarily dismissed their remaining crossclaims by stipulation dated January 17, 2014 (Doc. 532-1). Two crossclaims asserted on behalf of Anna Moody were voluntarily dismissed by order dated February 24, 2009 (Doc. 210). Moody is no longer a party to this action.

Respectfully,

s/ Robert J. Lack

Robert J. Lack

cc: Counsel of Record